

Amendments to the Claims:

The following listing of claims will replace all prior versions and/or listings of claims in the application.

Listing of Claims:

1-59. (Cancelled)

60. (Currently amended): A method for processing an insurance claim to estimate a value of the insurance claim, the method comprising:
- displaying a first insurance claim processing step on a display device coupled to a computer system;
- receiving input regarding the first insurance claim processing step;
- determining a table of contents based at least in part on input received regarding the first insurance claim processing step;
- displaying a table of contents on the display device, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps;
- selecting a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and
- displaying the second insurance claim processing step on the display device.
61. (Currently amended): The method of claim 60,
- wherein displaying the second insurance claim processing step comprises displaying a report on the display device, wherein the report comprises a value of the insurance claim, and wherein the report is determined based on information input in the first insurance claim processing step and on any insurance claim processing steps in

between the first insurance claim processing step and the second insurance claim processing step.

62. (Previously presented): The method of claim 60, further comprising:
redisplaying the first insurance claim processing step after displaying the second insurance claim processing step.
63. (Previously presented): The method of claim 60, further comprising:
redisplaying the first insurance claim processing step after displaying the second insurance claim processing step; and
receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step.
64. (Previously presented): The method of claim 60, further comprising:
redisplaying the first insurance claim processing step after displaying the second insurance claim processing step;
receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step; and
determining the table of contents again based at least in part on input received regarding the first insurance claim processing step and input received regarding the second insurance claim processing step.
65. (Previously presented): The method of claim 60,
wherein the insurance claim comprises a bodily injury claim, and wherein processing the insurance claim to estimate the value of the insurance claim comprises processing the bodily injury claim to estimate a bodily injury general damages value.
66. (Previously presented): The method of claim 60, further comprising:
receiving input regarding the second insurance claim processing step; and

determining the table of contents again based at least in part on input received regarding the second insurance claim processing step.

67. (Previously presented): The method of claim 60, wherein the table of contents comprises an ordered list of insurance claim processing steps.
68. (Previously presented): The method of claim 60, wherein insurance claim processing steps comprise steps for entry of information relevant to the estimate of the value of the insurance claim.
69. (Previously presented): The method of claim 68, wherein the information relevant to the estimate of the value of the insurance claim comprises bodily injury treatment information.
70. (Previously presented): The method of claim 68, wherein the information relevant to the estimate of the value of the insurance claim comprises bodily injury damages information.
71. (Previously presented): The method of claim 60, wherein the table of contents further comprises pointers to display screens associated with the insurance claim processing steps.
72. (Previously presented): The method of claim 60, further comprising: storing information input at one or more insurance claim processing steps.
73. (Previously presented): The method of claim 60, wherein insurance claim processing steps are associated with display in table of contents properties, and wherein determining the table of contents comprises determining insurance claim processing steps associated with display in table of contents

properties which indicate that the insurance claim processing steps should be included in the table of contents.

74. (Previously presented): The method of claim 60,
wherein insurance claim processing steps are associated with display in table of contents properties, wherein determining the table of contents comprises determining insurance claim processing steps associated with display in table of contents properties which indicate that the insurance claim processing steps should be included in the table of contents, and wherein at least on display in table of contents properties comprises a condition which specifies when an associated insurance claim processing step should be included in the table of contents.
- C 75. (Currently amended): A method of processing an insurance claim using an insurance claim processing system, ~~wherein the insurance claim processing system, the method comprising:~~
receiving a request to estimate an insurance claim, wherein the request comprises a claim identifier associated with the insurance claim;
determining a display of table of contents associated with the claim identifier, wherein the table of contents display represents one or more steps for processing the insurance claim, and wherein at least one step comprises an end step ;
selecting at least one step associated with the insurance claim;
if the selected step is not the end step then:
 providing a display on a display device coupled to a computer system associated with the selected step;
 receiving input associated with the selected step;
 storing the input received; and
if the selected step is the end step then:
 providing a display on the display device comprising an estimated value of the insurance claim.

76. (Previously presented): The method of claim 75, wherein the one or more steps for processing the insurance claim are dynamically modifiable in response to received input.
77. (Previously presented): The method of claim 75, further comprising adding or deleting one or more steps from the table of contents display in response to received input.
78. (Currently amended): A method for dynamically creating a table of contents display screen on a display device coupled to a computer system, wherein the table of contents display screen is associated with a specified insurance claim, the method comprising:
determining whether a previous display screen pointer is associated with a display screen of a set of one or more display screens associated with a specified insurance claim;
if a previous display screen pointer is not associated with the display screen, adding the display screen to said table of contents display screen;
if a previous display screen pointer is associated with the display screen, determining whether a source of data property associated with the display screen indicates that data associated with the display screen is input received from a user;
if the source of data property associated with the display screen indicates that data associated with the display screen is input received from a user, then adding the display screen to the table of contents display screen; and
storing said table of contents display screen.
79. (Currently amended): A system for processing an insurance claim to estimate a value of the insurance claim, the system comprising:
a CPU;
a display device coupled to the CPU;
a memory coupled to the CPU, wherein the memory stores program instructions which are executable by the CPU to:
display a first insurance claim processing step;
receive input regarding the first insurance claim processing step;

determine a table of contents based at least in part on input received regarding the first insurance claim processing step;
display a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps;
select a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and
display the second insurance claim processing step.

80. (Currently amended): The system of claim 79,
wherein displaying the second insurance claim processing step comprises displaying a report on the display device, wherein the report comprises a value of the insurance claim, and wherein the report is determined based on information input in the first insurance claim processing step and on any insurance claim processing steps in between the first insurance claim processing step and the second insurance claim processing step.

81. (Previously presented): The system of claim 79, wherein the program instructions are further executable to:
redisplay the first insurance claim processing step after displaying the second insurance claim processing step.

82. (Previously presented): The system of claim 79, wherein the program instructions are further executable to:
redisplay the first insurance claim processing step after displaying the second insurance claim processing step; and
receive input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step.

83. (Previously presented): The system of claim 79, wherein the program instructions are further executable to:
redisplay the first insurance claim processing step after displaying the second insurance claim processing step;
receive input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step; and
determine the table of contents again based at least in part on input received regarding the first insurance claim processing step and input received regarding the second insurance claim processing step.
84. (Previously presented): The system of claim 79,
wherein the insurance claim comprises a bodily injury claim, and wherein processing the insurance claim to estimate the value of the insurance claim comprises processing the bodily injury claim to estimate a bodily injury general damages value.
85. (Previously presented): The system of claim 79, wherein the program instructions are further executable to:
receive input regarding the second insurance claim processing step; and
determine the table of contents again based at least in part on input received regarding the second insurance claim processing step.
86. (Previously presented): The system of claim 79,
wherein the table of contents comprises an ordered list of insurance claim processing steps.
87. (Previously presented): The system of claim 79,
wherein insurance claim processing steps comprise steps for entry of information relevant to the estimate of the value of the insurance claim.

88. (Previously presented): The system of claim 87,
wherein the information relevant to the estimate of the value of the insurance claim
comprises bodily injury treatment information.
89. (Previously presented): The system of claim 87,
wherein the information relevant to the estimate of the value of the insurance claim
comprises bodily injury damages information.
90. (Previously presented): The system of claim 79,
wherein the table of contents further comprises pointers to display screens associated with
the insurance claim processing steps.
91. (Previously presented): The system of claim 79, wherein the program instructions are
further executable to store information input at one or more insurance claim processing
steps.
92. (Previously presented): The system of claim 79,
wherein insurance claim processing steps are associated with display in table of contents
properties, and wherein determining the table of contents comprises determining
insurance claim processing steps associated with display in table of contents
properties which indicate that the insurance claim processing steps should be
included in the table of contents.
93. (Previously presented): The system of claim 79,
wherein insurance claim processing steps are associated with display in table of contents
properties, wherein determining the table of contents comprises determining
insurance claim processing steps associated with display in table of contents
properties which indicate that the insurance claim processing steps should be
included in the table of contents, and wherein at least on display in table of

contents properties comprises a condition which specifies when an associated insurance claim processing step should be included in the table of contents.

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94. (Previously presented): A carrier medium comprising program instructions for processing an insurance claim to estimate a value of the insurance claim, wherein the program instructions are computer-executable to implement:
- displaying a first insurance claim processing step;
 - receiving input regarding the first insurance claim processing step;
 - determining a table of contents based at least in part on input received regarding the first insurance claim processing step;
 - displaying a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps;
 - selecting a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and
 - displaying the second insurance claim processing step.
95. (Previously presented): The carrier medium of claim 94,
- wherein displaying the second insurance claim processing step comprises displaying a report, wherein the report comprises a value of the insurance claim, and wherein the report is determined based on information input in the first insurance claim processing step and on any insurance claim processing steps in between the first insurance claim processing step and the second insurance claim processing step.
96. (Previously presented): The carrier medium of claim 94, wherein the program instructions are further computer-executable to implement:
- redisplaying the first insurance claim processing step after displaying the second insurance claim processing step.

97. (Previously presented): The carrier medium of claim 94, wherein the program instructions are further computer-executable to implement:
redisplaying the first insurance claim processing step after displaying the second insurance claim processing step; and
receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step.
98. (Previously presented): The carrier medium of claim 94, wherein the program instructions are further computer-executable to implement:
redisplaying the first insurance claim processing step after displaying the second insurance claim processing step;
receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step; and
determining the table of contents again based at least in part on input received regarding the first insurance claim processing step and input received regarding the second insurance claim processing step.
99. (Previously presented): The carrier medium of claim 94,
wherein the insurance claim comprises a bodily injury claim, and wherein processing the insurance claim to estimate the value of the insurance claim comprises processing the bodily injury claim to estimate a bodily injury general damages value.
100. (Previously presented): The carrier medium of claim 94, wherein the program instructions are further computer-executable to implement:
receiving input regarding the second insurance claim processing step; and
determining the table of contents again based at least in part on input received regarding the second insurance claim processing step.
101. (Previously presented): The carrier medium of claim 94,

wherein the table of contents comprises an ordered list of insurance claim processing steps.

102. (Previously presented): The carrier medium of claim 94,
wherein insurance claim processing steps comprise steps for entry of information relevant
to the estimate of the value of the insurance claim.
103. (Previously presented): The carrier medium of claim 102,
wherein the information relevant to the estimate of the value of the insurance claim
comprises bodily injury treatment information.
104. (Previously presented): The carrier medium of claim 102,
wherein the information relevant to the estimate of the value of the insurance claim
comprises bodily injury damages information.
105. (Previously presented): The carrier medium of claim 94,
wherein the table of contents further comprises pointers to display screens associated with
the insurance claim processing steps.
106. (Previously presented): The carrier medium of claim 94, wherein the program
instructions are further computer-executable to implement:
storing information input at one or more insurance claim processing steps.
107. (Previously presented): The carrier medium of claim 94,
wherein insurance claim processing steps are associated with display in table of contents
properties, and wherein determining the table of contents comprises determining
insurance claim processing steps associated with display in table of contents
properties which indicate that the insurance claim processing steps should be
included in the table of contents.

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108. (Previously presented): The carrier medium of claim 94, wherein insurance claim processing steps are associated with display in table of contents properties, wherein determining the table of contents comprises determining insurance claim processing steps associated with display in table of contents properties which indicate that the insurance claim processing steps should be included in the table of contents, and wherein at least on display in table of contents properties comprises a condition which specifies when an associated insurance claim processing step should be included in the table of contents.

109. (New): A method for processing an insurance claim to estimate a value of the insurance claim, the method comprising:

receiving a first input associated with an insurance claim processing step displayed on a display device;

determining a list of insurance claim processing steps to present in a table of contents based on at least part of the first input received;

displaying a table of contents on the display device with the determined list of insurance claim processing steps;

selecting at least one of the insurance claim processing steps displayed in the table of contents;

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displaying the selected insurance claim processing step on the display device;

receiving a second input associated with the selected insurance claim processing step; and

determining a new list of insurance claim processing steps to present in the table of contents based on at least part of the first input received; and

displaying the table of contents with the new list of insurance claim processing steps.

110. (New): The method of claim 109, wherein determining a list of insurance claim processing steps includes determining an order that the insurance claim processing steps should be completed in based on at least part of the first input received.

111. (New): The method of claim 109, wherein determining a list of insurance claim processing steps includes adding or removing at least one insurance claim processing step from a predetermined list of insurance claim processing steps based on at least part of the first input received.

112. (New): The method of claim 109, wherein determining a list of insurance claim processing steps includes adding or removing at least one insurance claim processing step from a predetermined list of insurance claim processing steps based on at least one business rule used to determine what insurance claim processing steps require further data entry.

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113. (New): The method of claim 109, wherein determining a list of insurance claim processing steps includes determining an order for at least one insurance claim processing step based on at least one business rule used to determine an appropriate order for insurance claim processing steps that require further data entry.

114. (New): The method of claim 109, wherein displaying a table of contents includes displaying at least one screen object next to at least one insurance claim processing step in the displayed table of contents, wherein the appearance of the at least one screen object is selected based on the status of the at least one insurance claim processing step.

115. (New): The method of claim 114, wherein the at least one screen object includes an arrow pointing to an insurance claim processing step that should be completed after the insurance claim processing step associated with the at least one screen object.

Response to Office Action Mailed April 21, 2003

A. Pending Claims

Claims 60-115 are pending in the case. Claims 60, 61, 75, and 78-80 have been amended. Claims 109-115 are new.

B. The Claims Are Directed to Statutory Subject Matter Pursuant To 35 U.S.C. § 101

The Examiner rejected claims 60-77, 80-93, 99, 101-105, 107, and 108 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims have been amended for clarification. As stated in the MPEP §2106, IV:

A claim is limited to a practical application when the method, as claimed, produces a concrete, tangible and useful result; i.e., the method recites a step or act of producing something that is concrete, tangible and useful. See *AT&T*, 172 F.3d at 1358, 50 USPQ2d at 1452.

Applicant respectfully submits that claims 60-77, 80-93, 99, 101-105, 107, and 108 recite limitations that produce a “concrete, tangible and useful result”. For example, claim 60 recites “displaying a first insurance claim processing step on a display device coupled to a computer system.”

C. The Claims Are Not Obvious Over Borghesi in View of Abbruzzese Pursuant To 35 U.S.C. § 103(a)

The Examiner rejected claims 60-108 under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 5,950,169 to Borghesi et al. (hereinafter “Borghesi”) in view of U.S. Patent No. 5,557,515 to Abbruzzese et al. (hereinafter “Abbruzzese”). Applicant respectfully disagrees with the

rejections.

In order to reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A. 1967). To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03.

The Examiner states:

As per claim 60, discloses a method for processing an insurance claim to estimate a value of the insurance claim (Col.1, lines 24-55), the method comprising:

- displaying a first insurance claim processing step (Col.3, lines 13-23);
- receiving input regarding the first insurance claim processing step (Col.2, lines 60-67 to Col.3, line 30);

- determining a table of contents based at least on input received regarding the first insurance claim processing step (Col.7, lines 24-67 to Col.8, line 49);

- displaying a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps (Col.8, lines 30-67). Borghesi does not explicitly disclose selecting a second insurance claim processing step,...

- ...Abbruzzese suggests selecting a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and displaying the second insurance claim processing step (Col.17, lines 22-67 to Col.18, line 67; Col.19, lines 1-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Abbruzzese within the system of Borghesi with the motivation of providing a claim office supervisors and other staff members with the ability to maintain an accurate record to all activities undertaken in the processing of a claim and the further ability to quickly and easily access the complete claim file (See Abbruzzese, Col.3, lines 12-17).

Amended claim 60 describes a combination of features including:

determining a table of contents based at least in part on input received regarding the first insurance claim processing step;
displaying a table of contents on the display device, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps;

Borghesi appears to teach a method and system for processing an insurance claim. For example, Borghesi states:

The present invention provides for a comprehensive method and system for processing insurance claims for use by insurance companies... (Borghesi, column 2, lines 33-35)

An insurance claim datafile containing all data pertinent to an insurance claim is generated at the remote computer. A user transfers the datafile between the home office computer and at least one remote computer while the claim is being processed. A user modifies and builds sections of the insurance claim datafile at the remote computer based on information accessed from an external source such as a memory device or another computer. (Borghesi, column 2, lines 41-49)

Further, the preferred method includes the additional step of generating an event log that tracks all actions taken on a claim datafile. (Borghesi, column 2, lines 54-56)

Borghesi also states:

A graphic user interface for use in managing an insurance claim is also provided. The graphic user interface includes an "in box" for holding and demarcating at least one datafile that a user is about to work on, an "out box" for holding and demarcating at least one datafile that a user has completed work on, and an "in process" box that may hold at least one insurance datafile a user is currently working on. (Borghesi, column 3, lines 5-11)

Borghesi does not appear to teach or suggest a table of contents based on user input regarding a first insurance claim process step. Instead, Borghesi appears to teach a universal display screen displaying a datafile with a plurality of tabbed sections each representing a view of the datafile. For example, Borghesi states:

The universal display screen, preferably a graphic user interface, displays at least one workfile/datafile in addition to visual objects representative of actions to be taken on a workfile. In a preferred embodiment where the universal entry screen is the graphic user interface described above, an opened insurance claim datafile has a plurality of tabbed sections, each tabbed section representing a separate view of the datafile. A user may access each of the tabs by using a keyboard or other user input means. (Borghesi, column 7, lines 44-53)

Borghesi also appears to teach context sensitive buttons. For example, Borghesi states:

The graphic user interface also includes a tool bar 96 made up of objects 97 that allow the user to perform necessary tasks such as printing, and context sensitive buttons 98 that appear on the bar 96 when certain tasks may be required by the screen presently being viewed. According to a preferred embodiment, the context sensitive buttons 98, such as the 'Delete Party' button in FIG. 6, will disappear when the screen on the display monitor does not require the option represented by the context sensitive button 98. (Borghesi, column 8, lines 15-23)

Applicant submits that context sensitive buttons are not the same as a table of contents. Applicant's Specification provides a description of a table of contents.

A table of contents may be displayed upon the entry of an appropriate command by the user, wherein the table of contents includes an ordered list of the steps associated with the processing of the insurance claim, and wherein the ordered list of steps comprises the first step, the intermediary step, and any steps in between the first step and the intermediary step. The ordered list of steps may be dynamically modifiable in response to the entry of information in a step. In other words, steps may be added to or deleted from said dynamically modifiable ordered list of steps in response to the entry of information. The user may be permitted to select one of the steps from the ordered list of steps associated with the processing of the insurance claim in the table of contents. (Specification, page 3, line 22 – page 4, line 1)

Applicant respectfully submits that the context sensitive buttons of Borghesi do not provide a list of steps associated with the processing of an insurance claim. Instead, the context sensitive buttons appear to have functions allowed with the currently pending screen (not an entire insurance claim processing step).

The Examiner states in item 6 (A) of the Office Action: “In response to Applicant’s arguments, Examiner suggests that Abbruzzese discloses ‘a table of contents enabling an operator to select a desired system function or transaction’ which is corresponding to the claim feature (See, Abbruzzese, Col. 17, lines 1-67).”

Abbruzzese appears to teach a process for tracking claims that are in progress, but Abbruzzese does not appear to teach or suggest selecting a second insurance claim processing step from a table of contents. In fact, Abbruzzese does not appear to teach or suggest a list of claim processing steps at all. Abbruzzese appears to teach, instead, a menu to access databases or various data screens. For example, Abbruzzese states:

The menu screens serve as a table of contents enabling an operator to select a desired system function or transaction. Following a successful logon, the System displays a Default Primary Menu tailored to the operator’s specific needs and security level. (Abbruzzese, column 17, lines 22-26)

As described above, Applicant’s Specification describes a table of contents as including “an ordered list of the steps associated with the processing of the insurance claim.” Applicant submits that menu screens are not the same as an ordered list of the steps associated with the processing of the insurance claim. In the Advisory Action, the Examiner states Abbruzzese discloses “press a PFkey below or RETURN to do Next Trans”. The options in Abbruzzese’s table do not appear to be an ordered list of steps. For example “Wang OFFICE” is listed before “CAS Secondary Menu”, however, these appear to be options for a claim handler to choose from. Abbruzzese does not teach that a transaction “Wang OFFICE” occurs before transaction “CAS Secondary Menu”. Applicant also respectfully submits that the options “Wang OFFICE” and “CAS Secondary Menu” do not appear to be transactions.

The Examiner further states in item 6 (B) of the Office action:

In response to Applicant’s arguments, Examiner suggests that Abbruzzese discloses ‘The processing of a claim begins upon receipt of a notice of loss.

These 'Losses Notices' are received from agents, insured, customers or claimants, either through the mail, in person, electronically or over the telephone.' In a typical claims office, a person called a Claim Assistant is primarily responsible for the input of Loss Notices into the System. The Loss information is input through a Loss Processing Transaction ('LPTX') function which may be accessed from a Primary Menu (see, e.g., Tables I and II) or by placing the four letter code 'LPTX' in the 'Next Trans' field of any transaction which is corresponding to the claimed feature (See Abbruzzese, Col. 17, lines 59-67 to Col. 18, line 67).

Abbruzzese appears to teach a series of loss screens that are displayed after initial input of data. For example Abbruzzese states:

Upon completion of the LPTX Interface screen, the 'Enter' key is pressed and a series of loss screens particular to a single 'line of business' are displayed. (Abbruzzese, column 18, lines 63-65)

Applicant submits that a series of loss screens is not the same as a table of contents. Applicant also submits that input of Loss Notices followed by the display of a series of loss screens is not the same as determining a table of contents based at least in part on input received regarding the first insurance claim processing step.

Claim 60 is directed to a combination of features including the features "displaying a first insurance claim processing step on a display device coupled to a computer system; receiving input regarding the first insurance claim processing step; determining a table of contents based at least in part on input received regarding the first insurance claim processing step; displaying a table of contents on the display device, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps; selecting a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and displaying the second insurance claim processing step on the display device." Applicant submits that at least these features, in combination with the other features of

the claim, are not taught or suggested by Borghesi in view of Abbruzzese. Applicant respectfully requests removal of the rejection of claim 60 and the claims dependent thereon.

The Examiner states: “As per claim 61, Borghesi discloses the method wherein displaying the second insurance claim processing step comprises displaying a report,...(Col.5, lines 19-50).”

Amended claim 61 describes features including: “wherein displaying the second insurance claim processing step comprises displaying a report on the display device, wherein the report comprises a value of the insurance claim, and wherein the report is determined based on information input in the first insurance claim processing step and on any insurance claim processing steps in between the first insurance claim processing step and the second insurance claim processing step.”

Borghesi appears to teach gathering values by an adjuster to determine a settlement. For example, Borghesi states:

The numbers from the damage estimate and from the vehicle valuation, including salvage disposition, are then used by an adjuster who looks at these numbers to determine what type of settlement and/or adjustment 20 should be made. (Borghesi, column 5, lines 19-23)

Borghesi does not appear to teach or suggest displaying a report on the display device wherein the report comprises a value of the insurance claim. Applicant respectfully requests removal of the rejection of claim 61.

The Examiner states: “As per claim 62, Borghesi discloses the method further comprising: redisplaying the first insurance claim processing step after displaying the second insurance claim processing step (The Examiner interprets refresh the display as a form of redisplay Col.5, lines 51-67 to Col.6, lines 15-45).”

The Examiner further states: “As per claim 63, Borghesi discloses the method further comprising: redisplaying the first insurance claim processing step after displaying the second insurance claim processing step; and receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step (Col.5, lines 51-67 to Col.6, line 45).”

Claim 62 describes features including: “redisplaying the first insurance claim processing step after displaying the second insurance claim processing step.” Claim 63 describes features including: “receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step.” Borghesi appears to teach a screen or display refresh. For example, Borghesi states: “The information stored in the video memory is used to refresh the display on the display monitor.” (Borghesi, column 6, lines 17-18) Applicant submits that a screen refresh does not encompass redisplaying a previous processing step. For example, Applicant’s Specification states:

After displaying the selected step, the intermediary step may be redisplayed upon entry of an appropriate command by the user. In one embodiment, in other words, the user may go back to the previously displayed step, either through the table of contents or through entry of a suitable “back” command. The processing of the insurance claim may be continued after redisplaying the intermediary step by permitting the user to enter additional information relevant to the estimate of the value of the insurance claim. (Specification, page 4, lines 7-12)

Applicant respectfully requests removal of the rejections of claims 62 and 63.

The Examiner states:

As per claim 64, Borghesi discloses the method further comprising: redisplaying the first insurance claim processing step after displaying the second insurance claim processing step (Col.5, lines 51-67 to Col.6, line 45); receiving input regarding the first insurance claim processing step after redisplaying the first insurance claim processing step (Col.5, lines 51-67 to Col.6, line 45); and determining the table of contents again based at least in part on input received

regarding the first insurance claim processing step and input received regarding the second insurance claim processing step (Col.7, lines 22-67 to Col.8, line 49).

Claim 64 describes features including: “determining the table of contents again based at least in part on input received regarding the first insurance claim processing step and input received regarding the second insurance claim processing step.” As described above, Borghesi does not appear to teach or suggest redisplaying a first insurance processing step after displaying a second insurance processing step. In addition, Borghesi does not appear to teach or suggest determining a table of contents based on the updated input. Instead Borghesi appears to teach data input without a table of contents. For example, Borghesi states: “The graphic user interface not only permits a user to enter and retrieve information from a datafile, but also permits the user to execute tasks involved in claims process such as manipulating a plurality of claim datafiles,...” (Borghesi, column 7, lines 57-61). Applicant respectfully requests removal of the rejection of claim 64.

The Examiner states: “As per claim 65, Borghesi discloses the method wherein the insurance claim comprises a bodily injury claim, and wherein processing the insurance claim to estimate the value of the insurance claim comprises processing the bodily injury claim to estimate a bodily injury general damages value (Col.5, lines 1-36).”

Claim 65 describes features including: “wherein the insurance claim comprises a bodily injury claim, and wherein processing the insurance claim to estimate the value of the insurance claim comprises processing the bodily injury claim to estimate a bodily injury general damages value.” Borghesi appears to teach insurance claims related to auto property damage. For example, Borghesi states:

First, information from the vehicle inspection is used to determine a vehicle valuation 14 which values the vehicle based on several factors including age of the vehicle and prior damage. A damage estimate 16 is also made of the vehicle to attempt to define the repairs necessary to bring the vehicle back to its previous state. If the repair estimate approaches the vehicle valuation, the adjuster may decide to total out the vehicle. (Borghesi, column 5, lines 8-15)

Borghesi does not appear to teach or suggest estimating bodily injury claims. Applicant respectfully requests removal of the rejection of claim 65.

The Examiner states:

As per claim 66, Borghesi discloses the method further comprising: receiving input regarding the second insurance claim processing step (Col.7, lines 22-67 to Col.8, line 49); and determining the table of contents again based at least in part on input received regarding the second insurance claim processing step (Col.7, lines 22-67 to Col.8, line 49).

Claim 66 describes features including: “receiving input regarding the second insurance claim processing step; and determining the table of contents again based at least in part on input received regarding the second insurance claim processing step.” As described above, Borghesi does not appear to teach or suggest determining a table of contents based on input received from the processing steps. Applicant respectfully requests removal of the rejection of claim 66.

The Examiner states: “As per claim 67, Abbruzzese discloses the method wherein the table of contents comprises an ordered list of insurance claim processing steps (Col.19, lines 18-67).”

Claim 67 describes features including: “wherein the table of contents comprises an ordered list of insurance claim processing steps.” Abbruzzese appears to teach a series of screens for data input. Abbruzzese does not appear to teach or suggest a list of insurance claim processing steps that are displayed on a display device. For example, Abbruzzese states:

The following is a list of screens specific to the automobile line of insurance business (which will be used as an example for purposes of this description) in their logical order of appearance (screens marked with asterisks will potentially become new claims):

Policy Information Screen (required)

Special Procedures (optional unless extracted from Policy Index Table)

Description of Accident (required)

*Physical Damage screen (required for certain types of policies – identified by claim symbol)

*Property Damage screen (required for certain types of policies)
Witness/Passengers screen (optional)
Contact/Comment screen (optional).
(Abbruzzese, column 19, lines 18-36)

Applicant respectfully requests removal of the rejection of claim 67.

The Examiner states:

As per claim 73, Abbruzzese discloses the method wherein insurance claim processing steps are associated with display in table of contents properties (Col.39, lines 25-67 to Col.40, line 47), and wherein determining the table of contents comprises determining insurance claim processing steps associated with display in table of contents properties which indicate that the insurance claim processing steps should be included in the table of contents (Col.39, lines 25-67 to Col.40, line 47).

The Examiner further states: “As per claim 74, Abbruzzese discloses the method...(Col.39, lines 25-67 to Col.40, line 47).”

Claim 73 describes features including: “wherein insurance claim processing steps are associated with display in table of contents properties, and wherein determining the table of contents comprises determining insurance claim processing steps associated with display in table of contents properties which indicate that the insurance claim processing steps should be included in the table of contents.” Claim 74 describes features including: “wherein insurance claim processing steps are associated with display in table of contents properties, wherein determining the table of contents comprises determining insurance claim processing steps associated with display in table of contents properties which indicate that the insurance claim processing steps should be included in the table of contents, and wherein at least on display in table of contents properties comprises a condition which specifies when an associated insurance claim processing step should be included in the table of contents.”

Applicant submits that the passage in Abbruzzese cited by the Examiner does not appear to teach or suggest insurance claim processing steps associated with a table of contents. The

cited passage of Abbruzzese appears to teach accessing a database. For example, Abbruzzese states:

The Directory Tables are used to store and display names, addresses and other pertinent information about currently used services and individuals. These include attorneys, doctors/hospitals, investigating authorities, etc. Each listing in the Directory Tables is automatically assigned a unique directory code upon initial input. (Abbruzzese, column 39, line 43 – column 40, line 25)

Applicant respectfully requests removal of the rejections of claims 73 and 74.

The Examiner states:

As per claim 75, Borghesi discloses a method of processing an insurance claim using an insurance claim processing system, wherein the insurance claim processing system (Col.20, lines 34-50), the method comprising: receiving a request to estimate an insurance claim (Col.5, lines 1-67), wherein the request comprises a claim identifier associated with the insurance claim (Col.6, lines 33-67); selecting at least one step associated with the insurance claim (Col.5, lines 1-36); if the selected step is not the end step then: providing a display associated with the selected step (Col.11, lines 53-67 to Col.12, lines 35); receiving input associated with the selected step (Col.5, lines 6-67); storing the input received (Col.5, lines 51-67 to Col.6, line 51); and if the selected step is the end step then: providing a display comprising an estimated value of the insurance claim (Col.5, lines 27-67 to Col.6, line 32). Borghesi does not explicitly disclose determining a display of table of contents associated with the claim identifier, wherein the table of contents display represents one or more steps for processing the insurance claim, and wherein at least one step comprises an end step.

However, this feature is known in the art, as evidenced by Abbruzzese. In particular, Abbruzzese suggests a display of table of contents to the client system associated with said claim identifier, wherein the table of contents display represents one or more steps associated with said insurance claim, wherein one of the one or more steps comprises an end step (See Abbruzzese Col.17, lines 22-67 to Col.18, line 67).

Amended claim 75 describes a combination of features including:

determining a display of table of contents associated with the claim identifier, wherein the table of contents display represents one or more steps for

processing the insurance claim, and wherein at least one step comprises an end step ;

As stated by the Examiner, Borghesi does not appear to teach or suggest a table of contents associated with a claim identifier. Applicant submits that Abbruzzese also does not appear to teach or suggest a table of contents associated with a claim identifier. Instead, Abbruzzese appears to teach menu screens that list system functions or transactions for a given operator. For example, Abbruzzese states:

The menu screens serve as a table of contents enabling an operator to select a desired system function or transaction. Following a successful logon, the System displays a Default Primary Menu tailored to the operator's specific needs. (See, e.g., Tables I and II, for screens designed for a claim handler and a supervisor). The appropriate Primary Menu screen for a particular operator is determined by a Default Menu Number which is entered in the operator's Staff Table. (Abbruzzese, column 17, lines 22-30)

Claim 75 is directed to a combination of features including the features "determining a display of table of contents associated with the claim identifier, wherein the table of contents display represents one or more steps for processing the insurance claim, and wherein at least one step comprises an end step." Applicant submits that at least these features, in combination with the other features of the claim, are not taught or suggested by Borghesi in view of Abbruzzese. Applicant respectfully requests removal of the rejection of claim 75 and the claims dependent thereon.

The Examiner states: "As per claim 76, Borghesi discloses the method wherein the one or more steps for processing the insurance claim are dynamically modifiable in response to received input (Col.5, lines 27-67)."

Claims 76 describes features including: "wherein the one or more steps for processing the insurance claim are dynamically modifiable in response to received input." Applicant submits that the method of Borghesi does not appear to teach or suggest steps for processing the insurance claim that are dynamically modifiable in response to user input. Instead, Borghesi

appears to teach a workfile that contains the necessary data for claims processing. For example, Borghesi states:

The processing of an insurance claim, as shown in FIG. 1, generates a great deal of data. All the information related to a given claim is preferably contained in a single workfile such as an electronic datafile 24. As seen in FIG. 2, each electronic datafile 24 is preferably stored in a memory device 26 such as a hard disk drive or other commonly known storage device. The datafile is transferable, in its entirety, to remote computers and may be copied in part or in whole to provide status information to insurance company managers, claims office personnel, and auditors. (Borghesi, column 5, lines 26-35)

Applicant respectfully requests removal of the rejection of claim 76.

The Examiner states: "As per claim 77, Borghesi discloses the method further comprising adding or deleting one or more steps from the table of contents display in response to received input (Col.8, line 15-64).

Claim 77 describes features including: "further comprising adding or deleting one or more steps from the table of contents display in response to received input." In the passage cited by the Examiner, Borghesi does not appear to teach or suggest adding or deleting steps from the table of contents in response to input. Borghesi appears to teach accessing workfiles. For example, Borghesi states:

Mail is sent from the out box whenever a user confirms the completion of the files contained in the out box 88. Both the in box and the out box are connected through network connections described above so that assignments, entire workfiles, and miscellaneous claim information may be passed back and forth. (Borghesi, column 8, lines 35-40)

The in process box 90 is used for those workfiles a user is working on. A workfile remains within the in process box 90 for as long as it takes to complete the various steps or transactions required for the particular work file....When the in process icon is selected, the graphic user interface displays the number of items or work files in process, with each workfile appearing as a folder in the main screen area. (Borghesi, column 9, lines 50-58)

Applicant respectfully requests removal of the rejection of claim 77.

The Examiner states:

Claim 78 differs from claims 60 and 75 by reciting a method for dynamically creating a table of contents display screen.

As per this limitation, it is noted that Borghesi discloses wherein the table of contents display screen is associated with a specified insurance claim (Col.8, lines 3-67), determining whether a previous display screen pointer is associated with a display screen of a set of one or more display screens associated with a specified insurance claim (Col.7, lines 40-53); if a previous display screen pointer is not associated with the display screen, adding the display screen to said table of contents display screen (Col.7, lines 40-53); if a previous display screen pointer is associated with the display screen, determining whether a source of data property associated with the display screen indicates that data associated with the display screen is input received from a user (Col.4, lines 40-67); if the source of data property associated with the display screen indicates that data associated with the display screen is input received from a user (Col.4, lines 40-67) and Abbruzzese discloses adding the display screen to the table of contents display screen; and storing said table of contents display screen.

The Examiner further states in item 6 (C) of the Office Action: "In response to Applicant's arguments, Examiner suggests that Abbruzzese discloses 'A set of LP-Element Change screens are used to add, modify or delete information previously input via the LPTX...'"

Claim 78 describes a combination of features including:

wherein the table of contents display screen is associated with a specified insurance claim, the method comprising:
determining whether a previous display screen pointer is associated with a display screen of a set of one or more display screens associated with a specified insurance claim;

As described above, Borghesi does not appear to teach or suggest a table of contents associated with a specified insurance claim. Furthermore, the Examiner stated in item P of the Office Action that "Borghesi does not explicitly disclose determining a display of table of contents associated with the claim identifier."

Borghesi appears to teach a datafile with a plurality of tabbed sections. For example, Borghesi states: "...an opened insurance claim datafile has a plurality of tabbed sections, each tabbed section representing a separate view of the datafile." (Borghesi, column 7, lines 49–51) Borghesi does not appear to teach or suggest determining whether a previous display screen pointer is associated with a display screen associated with a specified insurance claim or determining whether a source of data property associated with the display screen indicates that input is received from a user.

In item 6 (C) of the Office Action, the Examiner states: "Examiner suggests that Abbruzzese discloses 'additional screens are available within the Staff Tables to modify staff member information and to delete staff member form the file' which is corresponding to the claimed feature (See Abbruzzese, Col.37, lines 1-42)." Applicant submits that additional screens available for data entry does not encompass the feature of "adding the display screen to said table of contents display screen."

Claim 78 is directed to a combination of features including the features "the table of contents display screen is associated with a specified insurance claim" and "determining whether a previous display screen pointer is associated with a display screen of a set of one or more display screens associated with a specified insurance claim; if a previous display screen pointer is not associated with the display screen, adding the display screen to said table of contents display screen; if a previous display screen pointer is associated with the display screen, determining whether a source of data property associated with the display screen indicates that data associated with the display screen is input received from a user; if the source of data property associated with the display screen indicates that data associated with the display screen is input received from a user, then adding the display screen to the table of contents display screen." Applicant submits that at least these features, in combination with the other features of the claim, are not taught or suggested by Borghesi in view of Abbruzzese. Applicant respectfully requests removal of the rejection of claim 78.

The Examiner states:

As per claim 79, Borghesi discloses a system for processing an insurance claim to estimate a value of the insurance claim (Col.1, lines 24-55), the system comprising: a CPU (Col.7, lines 10-28); a display coupled to the CPU (Col.6, lines 6-14); a memory coupled to the CPU, wherein the memory stores program instructions which are executable by the CPU (Col.6, lines 6-14) to: display a first insurance claim processing step (Col.5, lines 16-67); determine a table of contents based at least in part on input received regarding the first insurance claim processing step; display a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps (Col.8, lines 30-67). Borghesi does not explicitly disclose select a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and display the second insurance claim processing step.

However, these features are known in the art, as evidenced by Abbruzzese. In particular, Abbruzzese suggests select a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and display the second insurance claim processing step (See Abbruzzese, Col.16, lines 23-67 to Col.17, lines 1-67; Col.18, lines 1-67).

Claim 79 describes a combination of features including:

determine a table of contents based at least in part on input received regarding the first insurance claim processing step;
display a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps;

Applicant submits, for the reasons described above, that at least the above-cited features, in combination with the other features of the claim, are not taught or suggested by Borghesi in view of Abbruzzese. Applicant respectfully requests removal of the rejection of claim 79.

The Examiner states:

Claims 80-93 and 95-108 recite the underlying process steps of the elements of claims 61-74 respectively. As the various elements of claims 61-74 have been shown to be either disclosed by or obvious in view of the collective teachings of Borghesi and Abbruzzese, it is readily apparent that the apparatus disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 80-93 and 95-108 are rejected for the same reasons given above for method claims 61-74, and incorporated herein.

Applicant submits that for the reasons described above, the features of claims 80-93 and 95-108, in combination with features of the independent claims, do not appear to be taught or suggested by the Borghesi in view of Abbruzzese.

The Examiner states:

Claim 94 differs from claims 60, 75, 78-79 by reciting a carrier medium comprising program instructions for processing an insurance claim to estimate a value of the insurance claim, wherein the program instructions are computer-executable to implement.

As per this limitation, it is noted that Borghesi discloses displaying a first insurance claim processing step (Col.3, lines 13-23); receiving input regarding the first insurance claim processing step (Col.2, lines 60-67 to Col.3, line 30);

determining a table of contents based at least in part on input received regarding the first insurance claim processing step (Col.7, lines 24-67 to Col.8, line 49); displaying a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprise the first insurance claim processing step, and one or more additional insurance claim processing steps (Col.8, lines 30-67; Col.10, lines 29-67 to Col.11, line 18) and Abbruzzese discloses selecting a second insurance claim processing step, wherein the second insurance claim processing step comprises at least one of the additional insurance claim processing steps from the table of contents; and displaying the second insurance claim processing step.

Thus, it is readily apparent that these prior art systems utilize program instructions to perform their specified function.

The remainder of claim 94 is rejected for the same reason given above for claims 60, 75, 78-79, and incorporated herein.

Claim 94 describes a combination of features including:

determining a table of contents based at least in part on input received regarding the first insurance claim processing step;
displaying a table of contents, wherein the table of contents comprises a list of the steps associated with the processing of the insurance claim, and wherein the list of steps comprises the first insurance claim processing step, and one or more additional insurance claim processing steps;

Applicant submits, for the reasons described above, that at least the above-cited features, in combination with the other features of the claim, are not taught or suggested by Borghesi in view of Abbruzzese. Applicant respectfully requests removal of the rejection of claim 94.

D. New Claims

Applicant asserts new claims 109 – 115 are also allowable over the prior art. For example, neither Borghesi nor Abbruzzese disclose, teach, or suggest “determining a new list of insurance claim processing steps to present in the table of contents based on at least part of the first input received” as recited in claim 109. In addition, neither Borghesi nor Abbruzzese disclose, teach, or suggest “adding or removing at least one insurance claim processing step from a predetermined list of insurance claim processing steps based on at least one business rule” as recited in claim 112 or “the appearance of the at least one screen object is selected based on the status of the at least one insurance claim processing step” as disclosed in claim 114.